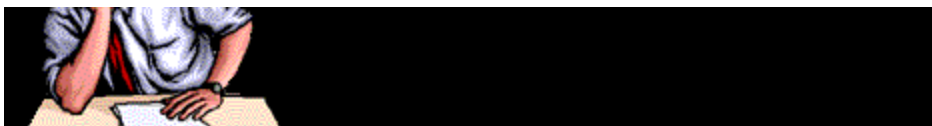



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## Bill To Allow U.S. POWs To Sue Japan

By CAROLYN SKORNECK, Associated Press Writer

WASHINGTON (AP) - American POWs forced into slave labor in Japan during World War II must have the right to sue those companies, House members said Thursday as they introduced legislation targeted not at Japan but at the U.S. government.

"Our own State Department is the biggest obstacle to justice," impeding the POWs' lawsuits against Japanese companies that forced them to work for years while they were beaten, starved and denied medical care, said Rep. Dana Rohrabacher ([news](#) - [bio](#) - [voting record](#)), R-Calif., who co-authored the bill with Rep. Mike Honda ([news](#) - [bio](#) - [voting record](#)), D-Calif.

The department has said the 1951 peace treaty between the United States and Japan prohibits the lawsuits against the private companies - many of them now household names in the United States, such as Mitsubishi Corp., Mitsui & Co., and Nippon Steel Corp.

"Japan is continuing to settle war claims from nationals of other countries while American former prisoners of war are being denied a fair hearing," Rohrabacher said. "Our legislation is designed to correct this shameful inequity."

U.S. District Court Judge Vaughn Walker in San Francisco accepted the State Department's interpretation of the treaty in September when he dismissed lawsuits brought by three dozen former POWs. The debt, he added, had been paid by "the immeasurable bounty of life for themselves and their posterity in a free society and in a more peaceful world."

That's just not good enough, said 82-year-old former POW Lester Tenney of La Jolla, Calif., who was forced to work for Mitsui mines after being ordered to surrender in Bataan.

"I shoveled coal in Japan for almost three years," said the retired Arizona State University professor of finance and economics. "I shoveled coal 12 hours a day. I was never paid and I never got proper tools and I never got medical care. I would like them to apologize to me. I would like to have them say to me: 'We are sorry, sincerely sorry for what we did to you, how we deprived you of so much of life.'"

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“I think also they should pay me for the work I performed for them,” he said. “Anything else they want to do is fine, but that's what I'm looking for.”

There are about 3,000 surviving POWs like Tenney, and many more who have died whose survivors may also pursue cases, he said.

California became a magnet for such cases in 1999 when the legislature enacted a law letting victims of slave labor sue multinational corporations.

Honda, a Japanese-American, said “deeply personal” reasons moved him to become involved in this case. His family was sent to an internment camp during World War II, freed only when his father volunteered to serve in military intelligence.

“It was once taboo in my community to discuss the internment,” he said, “but the redress movement put a stop to that.”

The POWs' lawsuits are another form of redress, Honda said.

“It's about reconciliation and setting the record straight,” he said. “This is not about bashing another country, another group of people.”

The legislation - supported by Majority Whip Tom DeLay, R-Texas, and Minority Whip David Bonior, D-Mich. - directs courts not to read the 1951 treaty as constituting a ban on claims by the United States or its citizens.

The treaty, it notes, says that if Japan gave other countries more beneficial terms, the countries signing the treaty would also get those better terms. In agreements with other countries, Japan allowed claims to be brought by citizens of those countries.

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